APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/821,638	03/29/2001	Dan Martin Scott	108344.00011'	5708

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EXAMINER
AMINI, JAVID A

ART UNIT	PAPER NUMBER
2672	6

DATE MAILED: 06/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/821,638	SCOTT ET AL.
	Examiner	Art Unit
	Javid A Amini	2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-20_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-20_ is/are rejected.

7)☒ Claim(s) _1-20_ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _3_ .

4)☐ Interview Summary (PTO-413) Paper No(s). _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: .

Response to Amendment

The amendment filed on March 03, 2003 under 37 CFR 1.131 has been considered but is

ineffective to overcome the Eppler reference.

- Claims 5 and 15 have been cancelled.

- Response to remarks on page 16, the examiner objected to the abstract and title of the

  disclosure because they are duplicated of abstract and title of a U.S application

  09/537,849. Since these two applications have different claims, it is requested in order to

  enable any person skilled in the art or science to which the invention or discovery

  appertains, or with which it is most nearly connected, to make a distinguishable

  expression in title or in abstract.

- Response to remark on pages 18 and 19, applicant discloses in page one of specification

  that "the present invention relates to a system and method for associating specific points

  on digital raster maps with a geographic coordinate system", and Eppler discloses in

  (cols. 1 and 2,lines 65-67; 1-5) the invention provides for a system and method that

  processes a digitized image generated (by a satellite-based imaging system, scanner, etc)

  and generates error values indicative of the misregistration between the actual position

  (pixel location on the first map) of the landmarks in the digitized images and their desired

  position (point coordinates on the second map). The error values are then used to adjust

  the optical line of sight of the imaging system to produce optimum registration. Eppler's

  invention is covering more precise information, not only gathering the position of

  landmarks in raster type image, but also determines the effectiveness of floods,

  earthquake, storm and etc. on particular landmark on the earth.

- Response to remark on page 19, second paragraph, these results in a list of landmarks with their corresponding parameters, such as latitude, longitude, alphanumeric identifier, name, and type of feature, for example. Once a feature has been selected using landmark selection criteria, the exact geodetic coordinates of perimeter vertices are read out as a sequence of latitude and longitude values as an operator traces out the perimeter on an interactive softcopy map display. The perimeter vertices are stored in the landmark database as a variable length file of floating point numbers in ASCII format.

- Response to remark on page 20, regards to claim objections: the double patenting objection is removed.

Specification

1.   The abstract and the title of the disclosure are objected to because are duplicated of abstract and title of a continuation U.S. application 09/537849. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2.   Claims 1-4, 6-14, and 16-20 rejected under 35 U.S.C. 102(b) as being anticipated by Eppler Us patent 6,084,989, November 15, 1996.

3.   As per claim 1, Eppler discloses in (Col. 2, lines 6-12). A disclosed method that automatically determines line and pixel coordinates (longitude coordinate and a latitude coordinate) of landmarks in the digitized image (also can be a scanned map image) with sub pixel accuracy (the first map being a digital raster map, and the second map being a previously georeferenced map), as for "the first map being a digital raster map, and the second map being a previously

georeferenced map, wherein the first map is similar to the second map". The system and method use

landmarks (can be shown by points on the map in reference to the same area on other map

coordinates) in symbolic form, and in particular, perimeters of lakes and islands, derived from

precise cartographic source materials, as for "receiving an entry identifying a second point pair point on the

second map wherein the first point is a pixel location having an x-coordinate and a y-coordinate"; When

assigning points on the two similar maps, it is very obvious that the coordinates and parameters

are must have the same values, as for "assigning the point on the first map a longitude coordinate and a

latitude coordinate, the longitude coordinate and the latitude coordinate of the first point being identical to a

longitude coordinate and a latitude coordinate associated with the point pair point on the second map; and creating a

georeferencing function to define a relationship between a pixel location on the first map and a longitude coordinate

and a latitude coordinate on the second map". The current system is capable of displaying more than one

image (raster/vector images) see Fig. 3. An entry identifying a point on the first map will be the

identical to a point on the second map.

4.   As per claims 2 and 3, Eppler discloses in Fig. 3 a <u>vector</u> and digital <u>raster</u> maps, and also

it can be called first, second, third and etc maps on the display, as for "the second map is a vector map

and also can be a digital raster map".

5.   As per claim 4, Eppler discloses in (Col. 1, lines 43-53) that in the past, the position of a

landmarks in a digitized images was automatically determined using reference images derived

from previously acquired digitized images containing the landmark that were matched to the

landmark (determined longitude and latitude coordinates according to the landmark, landmark

can be a mountains, lake, desert, city and etc.) in the currently processed digitized image. As for

"previously determined longitude and latitude".

6.   As per claims 6-7, Eppler discloses in (Col. 2, lines 28-39), and the georeferencing

functions are linear transformation see equations in columns 7-13. And also it is inherent to

display the results of a user's requests that create a georeferencing function. As for "creates a

georeferencing function" and "georeferencing function is a linear transformation".

7.   As per claims 8-10, Eppler discloses in Fig. 2 box numbers 26, 27 and 20 that contains

the list of three (or more) point boundary vertices since Eppler using a model. See Fig. 4 box 42

for more referencing functions, as for "three-four point pairs to complete the georeferencing function".

8.   As per claims 11 and 12, Eppler discloses in Fig. 4, box 50 image matching algorithms to

determine standard error. As for "pre determined standard error".

9.   As per claim 13, Eppler discloses in Fig. 4, box 44 that reading out the points of the

second map that corresponds to the selected area in the first map. As for " selection of a point on the

first map, and receiving a selection of a point on the second map".

10.   As per claim 14, Eppler discloses in (Col. 2, lines 6-12). A disclosed method that

automatically determines line and pixel coordinates of landmarks in the digitized image (also can

be a scanned map image) with sub pixel accuracy. The system and method use landmarks in

symbolic form, and in particular, perimeters of lakes and islands, derived from precise

cartographic source materials. The current system is capable of displaying more than one image

(raster/vector images) see Fig. 3. <u>Also refer to rejection of independent claim 1</u>.

11.   As per claim 16, Eppler discloses in (Col. 2, lines 28-39), and the georeferencing

functions are linear transformation see equations in columns 7-13. And also it is inherent to

display the results of a user's requests, as for "creates a georeferencing function" and georeferencing

function is a linear transformation".

12.   As per claims 17, Eppler discloses in Fig. 2 box numbers 26, 27 and 20 that contains the

list of three (or more) point boundary vertices since Eppler using a model. See Fig. 4 box 42 for

more referencing functions, as for "four point pairs to complete the georeferencing function".

13.   As per claim 18, Eppler discloses in Fig. 4, box 50 image matching algorithms to

determine standard error, as for "pre determined standard error".

14.   As per claim 19, Eppler discloses in (Col. 2, lines 6-12). A disclosed method that

automatically determines line and pixel coordinates of landmarks in the digitized image (also can

be a scanned map image) with sub pixel accuracy. The system and method use landmarks in

symbolic form, and in particular, perimeters of lakes and islands, derived from precise

cartographic source materials. The current system is capable of displaying more than one image

(raster/vector images) see Fig. 3. Also refer to rejection of independent claim 1.

15.   As per claim 20, Eppler discloses in Fig. 2 box numbers 26, 27 and 20 that contains the

list of three (or more) point boundary vertices since Eppler using a model. See Fig. 4 box 42 for

more referencing functions. Also Eppler discloses in Fig. 4, box 50 image matching algorithms

to determine standard error, as for "four point pairs to complete the georeferencing function".

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Javid A Amini whose telephone number is 703-605-4248. The

examiner can normally be reached on 8-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Michael Razavi can be reached on 703-305-4713. The fax phone numbers for the

organization where this application or proceeding is assigned are 703-746-8705 for regular

communications and 703-746-8705 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is 703-306-0377.

Javid Amini
May 30, 2003

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MICHAEL RAZAVI
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